

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOEL HODGELL,

Plaintiff,

v.

ANDERSEN CORPORATION, a foreign
corporation; and RENEWAL BY
ANDERSEN, LLC, a limited liability
corporation,

Defendants.

No.

DECLARATION OF ABIGAIL HOWD IN
SUPPORT OF DEFENDANTS' NOTICE OF
REMOVAL

1. I am an attorney at Watstein Terepka, LLP, and counsel for Defendants Andersen Corporation and Renewal by Andersen LLC (collectively, "Defendants") in the above-captioned action. I have personal knowledge of the matters contained herein.

2. I submit this declaration in support of Defendants' Notice of Removal.

3. Attached as Exhibit A are true and correct copies of the Certificate of Formation and Express Annual Report with Changes that Plaintiff filed for his business We All Won, LLC with the Secretary of State for the State of Washington on October 14, 2003 and October 21, 2022, respectively. These documents are publicly available on the Secretary of State's website at <https://ccfs.sos.wa.gov/#/BusinessSearch/BusinessFilings>. Both documents list a Seattle,

1 Washington, address for Plaintiff. *See generally* Ex. A.

2 4. Attached as Exhibit B is a true and correct copy of an email chain between me and
3 Plaintiff from December 15, 2022 to December 30, 2022. In the December 15, 2022 email,
4 Plaintiff claims he had received “80+ RBA spams.” Ex. B at 3. In the December 30, 2022 email,
5 Plaintiff claims he is entitled to \$183,000 (including actual damages of \$150,000 under RCW
6 19.86.090; treble damages capped at \$25,000 under RCW 19.86.090; and civil penalties of \$7,500
7 under RCW 19.86.140). *Id.* at 1.

8 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
9 and correct.

10 Executed this 3rd day of May, 2023, at Suwanee, Georgia.

11
12 
13 _____
14 ABIGAIL HOWD

EXHIBIT A



STATE OF WASHINGTON
SECRETARY OF STATE

FILED
SECRETARY OF STATE

• Please PRINT or TYPE in black ink.

• Sign, date and return original AND ONE COPY to:

CORPORATIONS DIVISION
801 CAPITOL WAY SOUTH • PO BOX 40234
OLYMPIA, WA 98504-0234 STATE OF WASHINGTON

• BE SURE TO INCLUDE FILING FEE. Checks should be made payable to "Secretary of State"

289-1127. 0
2003

APPLICATION TO FORM A LIMITED LIABILITY COMPANY

(Per Chapter 25.15 RCW)

FEE: \$175

EXPEDITED (24-HOUR) SERVICE AVAILABLE - \$30 PER ENTITY
INCLUDES FEE AND WHITE ENVELOPE IN BOLD LETTERS
ON OUTSIDE OF ENVELOPE

FOR OFFICE USE ONLY

FILED: 1 1 UBI: 000 334 334
CORPORATION NUMBER:

Important! Person to contact about this filing <u>Joel Hodgell</u>	Daytime Phone Number (with area code) <u>(206) 362-2166</u>
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CERTIFICATE OF FORMATION

NAME OF LIMITED LIABILITY COMPANY (LLC) (Must contain the word "Limited Liability Company" "Limited Liability Co." "LLC" or "LLC") <u>WE ALL WON LLC</u>	
ADDRESS OF LLC'S PRINCIPAL PLACE OF BUSINESS Street Address (Required) <u>12712 Lake City Way NE 3</u> City <u>Seattle</u> State <u>WA</u> ZIP <u>98125</u>	
PO Box (Optional - Must be in same city as street address) _____ ZIP (if different than street ZIP) _____	
EFFECTIVE DATE OF LLC (Specified effective date may be up to 90 days AFTER receipt of the document by the Secretary of State) <input checked="" type="checkbox"/> Specific Date: <u>15 October 2003</u> <input type="checkbox"/> Upon filing by the Secretary of State	
DATE OF DISSOLUTION (if applicable) _____	MANAGEMENT OF LLC IS VESTED IN ONE OR MORE MANAGERS <input type="checkbox"/> Yes: <input checked="" type="checkbox"/> No

>>> PLEASE ATTACH ANY OTHER PROVISIONS THE LLC ELECTS TO INCLUDE <<<

NAME AND ADDRESS OF WASHINGTON STATE REGISTERED AGENT		
Name <u>Joel Hodgell</u>		
Street Address (Required) <u>12712 Lake City Way NE 3</u> City <u>Seattle</u> State <u>WA</u> ZIP <u>98125</u>		
PO Box (Optional - Must be in same city as street address) _____ ZIP (if different than street ZIP) _____		
I consent to serve as Registered Agent in the State of Washington for the above named LLC. I understand it will be my responsibility to accept Service of Process on behalf of the LLC; to forward mail to the LLC; and to immediately notify the Office of the Secretary of State if I resign or change the Registered Office Address.		
Signature of Agent <u>Joel Hodgell</u>	Printed Name <u>Joel Hodgell</u>	Date <u>13 October 2003</u>

NAMES ADDRESSES OF EACH PERSON EXECUTING THIS CERTIFICATE (If necessary, attach additional names and addresses)			
Printed Name <u>Joel Hodgell</u>	Signature <u>Joel Hodgell</u>		
Address <u>12712 Lake City Way NE 3</u>	City <u>Seattle</u>	State <u>WA</u>	ZIP <u>98125</u>
Printed Name _____	Signature _____		
Address _____	City _____	State _____	ZIP _____
Printed Name _____	Signature _____		
Address _____	City _____	State _____	ZIP _____

INFORMATION AND ASSISTANCE - 360/763-7115 (TDD - 360/763-1485)

Validation
Unit 14/2883 - 43728
\$155.00 18/11/2003
Check - 18/13/2003 - 1732



WASHINGTON
Secretary of State
 Corporations & Charities Division

Filed
 Secretary of State
 State of Washington
 Date Filed: 10/21/2022
 Effective Date: 10/21/2022
 UBI #: 602 334 334

EXPRESS ANNUAL REPORT WITH CHANGES

BUSINESS INFORMATION

Business Name:

WE ALL WON LLC

UBI Number:

602 334 334

Business Type:

WA LIMITED LIABILITY COMPANY

Business Status:

ACTIVE

Principal Office Street Address:

12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125, UNITED STATES

Principal Office Mailing Address:

12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125, UNITED STATES

Expiration Date:

10/31/2023

Jurisdiction:

UNITED STATES, WASHINGTON

Formation/Registration Date:

10/15/2003

Period of Duration:

PERPETUAL

Inactive Date:

Nature of Business:

OTHER SERVICES

REGISTERED AGENT [RCW 23.95.410](#)

Registered Agent Name	Street Address	Mailing Address
JOEL HODGELL	12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125-0000, UNITED STATES	12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125-0000, UNITED STATES

PRINCIPAL OFFICE

Phone:

2063028200

Email:

DONOTSPAMWASTATE@GMAIL.COM

Street Address:

12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125, USA

Mailing Address:

12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125, USA

GOVERNORS

Title	Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		JOEL	HODGELL

NATURE OF BUSINESS

OTHER SERVICES

EFFECTIVE DATE

Effective Date:

10/21/2022

CONTROLLING INTEREST

1. Does this entity own (hold title) real property in Washington, such as land or buildings, including leasehold improvements?

NO

2. In the **past 12 months**, has there been a transfer of at least 16-2/3 percent of the ownership, stock, or other financial interest in the entity?

NO

a. If "Yes", in the **past 36 months**, has there been a transfer of controlling interest (50 percent or greater) of the ownership, stock, or other financial interest in the entity?

NO

3. If you answered "Yes" to question 2a, has a controlling interest transfer return been filed with the Department of Revenue?

NO

You **must** submit a Controlling Interest Transfer Return form if you answered "yes" to questions 1 **and** 2a.

Failure to report a Controlling Interest Transfer is subject to penalty provisions of [RCW 82.45.220](#).

For more information on **Controlling Interest**, visit www.dor.wa.gov/REET.

RETURN ADDRESS FOR THIS FILING

Attention:

JOEL HODGELL

Email:

DONOTSPAMWASTATE@GMAIL.COM

Address:

12712 LAKE CITY WAY NE 3, SEATTLE, WA, 98125, USA

AUTHORIZED PERSON

Person Type:

INDIVIDUAL

First Name:

JOEL

Last Name:

HODGELL

Title:

PRESIDENT

☒ This document is hereby executed under penalty of law and is to the best of my knowledge, true and correct.

EXHIBIT B

Subject: Re: [External] RBA - LEGAL DEMAND LETTER: SETTLEMENT OFFER TO AVOID LAWSUIT SOON
Date: Friday, December 30, 2022 at 4:28:44 PM Eastern Standard Time
From: Joel Hodgell
To: Abigail Howd
CC: Ryan D. Watstein, issuespammersinwastateusa@gmail.com

FOR SETTLEMENT PURPOSES.

Hi Abby (and Ryan),

Thanks for the reply. The 14 Dec. 2022 settlement offer EXPIRED.

BUT, out of an ABUNDANCE OF GOODWILL ON MY PART, I will EXTEND the deadline to accept my settlement terms (with the following clarifications, etc. below) to by/before 5:00PM-PST Friday 06 Jan. 2023. AFTER this extended deadline expires, my offer goes away forever, it FULLY EXPIRES.

MY VIDEO CAPTURE VIDEOS OF RBA'S USD\$150K PAYOUT SPAM TO ME:

I forgot to tell Ryan on 14 Dec. 2022 that I made many video capture videos of that one USD\$150,000.00 RBA spam from 2022, wherein RBA promised me USD\$150k if I confirmed my information. When I tried to confirm my information, the spam opened up to one of RBA's own websites, and NO USD\$150,000.00 was paid to me. I mis-wrote before; I can and will sue RBA for this USD\$150,000.00 plus another USD\$25,000.00 (RCW 19.86.090), plus another USD\$7,500.00 (RCW 19.86.140), so this one spam alone will cost RBA at least USD\$183,000.00, plus costs/fees, etc. RBA won't be able to claim this spam is fake, or unauthorized, etc. It clearly is RBA's spam, sent to benefit RBA. RBA has continued to spam me AFTER I sent my 14 Dec. 2022 letter to RBA (another case of "I can't believe RBA's spammers are this dumb" kind of spams).

Ryan, here's your chance to tell RBA they "screwed themselves over", they need to "cut bait" and settle now. RBA made the stupid choice to spam; this will only cost them a lot more very soon.

EXTENSION OF 14 DEC. 2022 SETTLEMENT OFFER, CLARIFICATIONS, ETC.:

The "acceptance time window" for my 14 Dec. 2022 settlement offer EXPIRES on Friday 06 Jan. 2023 at 5:00PM-PST, which means these are the BEST settlement terms RBA will get from me, they go away forever after my deadline. It's in the best interests of RBA's spammers to settle with me with my current terms (e.g. they will pay me an additional USD\$10,000.00, they won't be covered by the USD\$10,000.00 RBA's pays me), since I'll be able to sue RBA's spammers for the FULL amount owed to me (minus USD\$10,000.00).

Again, RBA only needs: to "agree in principle" to settle; turn over all info to me to fully identify (e.g. all contact information) for all of RBA's spammers it hired to spam for it in the past two years; RBA will agree to FULLY/TIMELY cooperate with any subpoena or other legal process I send to it if its spammers do not agree to settle by 06 Jan. 2023; and then I give copies of RBA's spams to Ryan. Then the settlement-release agreement will get finalized before 5:00PM-PST Friday 13 Jan. 2023, with full payment of RBA's USD\$10,000.00 to be paid to me by/before 5:00PM-PST Friday 20 Jan. 2023. These same terms apply to RBA's spammers (they will pay me an additional USD\$10,000.00 to settle with me), in case they want to settle with me too. In other words, the same terms from my 14 Dec. 2022 still apply (with the cooperation clarification above), BUT with the new deadlines that I wrote above.

In my 14 Dec. 2022 letter, I said the next settlement payment offer would be double, but since I'm giving RBA a huge gift by extending the 21 Dec. 2022 deadline, I won't short change myself. The next minimum payment I will accept (if RBA rejects my offer herein) will be double again, so USD\$40,000.00, for RBA and its spammers (both will pay me USD\$40k, that's USD\$80k total).

RBA'S GAMBLE, PAY UP NOW OR AT LEAST 20X MORE LATER:

Let's skip the bluster and drama (from RBA). If RBA wants to fight me in court, it will end up spending at least 20 times more money (on its' lawyers, mine, costs, penalties, fees, media attention, reputation damage, etc.). RBA will pay FAR MORE if it tries to drag out its legal problems.

Thank you.

Joel

On 12/30/22, Abigail Howd <ahowd@kcozlaw.com> wrote:

Hi Joel,

Just wanted to let you know that we're still digesting your email and attachments and will be back in touch soon. It's taken additional time due to people's schedules with the holidays.

Best,
Abby

Abigail L. Howd | KABAT CHAPMAN & OZMER LLP
ahowd@kcozlaw.com | (404) 400-7311 (direct)

-----Original Message-----

From: Joel Hodgell <issuespammersinwastateusa@gmail.com>

Sent: Thursday, December 15, 2022 4:34 PM

To: Ryan D. Watstein <rwatstein@kcozlaw.com>
Cc: Abigail Howd <ahowd@kcozlaw.com>; issuespammersinwastateusa@gmail.com
Subject: Re: [External] RBA - LEGAL DEMAND LETTER: SETTLEMENT OFFER TO AVOID
LAWSUIT SOON

Cool, thank you.

Yes, it's long, but I found out new stuff since we last emailed, and it's my good faith effort so RBA can avoid court.

Those 2 samples spams were such "You gotta be kidding me" types, it's like they went out of their way to look bad, but the spam headers are typical of the other
80+ RBA spams I got.

If you look at regular emails (like the ones between us, your workmates, ones you get from legal industry vendors, etc.) to these spams, there's a very big difference between the two groups.